

Commonwealth of Pennsylvania  
COURT OF JUDICIAL DISCIPLINE

JUL 21 2025

  
Clerk of Court

IN RE:

DOCKET NO. 1 JD 2025

JUDGE SCOTT DICLAUDIO

COMMON PLEAS JUDGE

1<sup>ST</sup> JUDICIAL DISTRICTJuly 18<sup>th</sup>, 2025

PHILADELPHIA COUNTY

ADDENDUM NUMBER TWO (2), OMNIBUS MOTION OF THE RESPONDENT, JUDGE  
SCOTT DICLAUDIO

It is possible that the “Shay’s complaint”, which was filed by Ms. Norton, was one in a series of complaints filed by Ms. Norton, alleging the undersigned violated some canon of judicial ethics. Admittedly, there is no proof to make this assertion. The only way that the Respondent’s allegation of a “serial complainant” can be verified is through information solely in possession of the Judicial Conduct Board. Pursuant to Judicial Conduct Board Operating Procedure, OP 3.04: Expeditious Resolution of Complaints, an expedited review is required for a claim with mere “bald allegations of misconduct, with no supporting documentation or evidence, such as “the judge was rude or biased” or the equivalent.” In this initial request for an investigation, Ms. Norton made a similar bald allegation: alleging “it *seems* that Judge DiClaudio discussed his position as a judge while speaking with the reporter. For example, the reporter writes that DiClaudio’s court crier “may have addressed him as ‘Whiz Honor.’” The allegation written by Ms. Norton does not state with specificity any violation that supposedly occurred. Initially, the descriptive words “seems” and “may have” are qualifiers used and would not have withstood even a cursory review that Respondent engaged in any violation at the prima facie level.

Even arguendo if the qualifiers were not used, there still would not have been sufficient information to sustain Ms. Norton’s burden at a prima facie level. Numerous ethical committees throughout the country have provided written guidance on jurists who have written books. The following statements have been codified: (1) Judge/authors “are not required to hide their judicial identities” despite the prohibition on abusing the prestige of office, (2) a judge “may be identified as a judge or by title in biographical materials that contain only factual statements, including on the jacket of a book authored by a judge, so



long as the judge's position is neither unnecessarily emphasized nor exploited for purposes of promotion, (3) "at book signing events and in public discussion of a judge's book, a judge may identify as a judge in response to questions", (4) "a judge who has authored a number of legal books may teach a MCLE course for attorneys at a breakfast sponsored by the book's publisher where the books will be sold, so long as the judge does not personally solicit sales of the book", (5) judges may include "biographical information in the foreword of a legal thriller authored by a judge" that references "the author's position as a judge".

More importantly, Rule 3.04 specifically describes serial complainants as:

"a complainant who has filed three (3) or more complaints against the same judge... and further states that for all complaints filed by a serial complainant, Chief Counsel will conduct a preliminary review. If Chief Counsel concludes in his or her reasoned judgement that the complaint fails to state an actionable claim, is frivolous on its face,... Chief Counsel may expediate the review and submit the matter to the board for disposition with a brief description and conclusion or alternatively, assign the matter to the Staff Attorney familiar with the prior complaints to submit the matter to the Board."

IF Ms. Norton was the "serial complainant", a serious breach of trust and violations of their own operating procedures had occurred.

The Respondent does not know if Ms. Norton in fact filed the other complaints that have already been dismissed by the Board before filing the instant matter. Respondent must be provided with, at the very least, a simple answer to the question has Ms. Norton filed any previous complaints alleging misconduct by Respondent? While understanding the nature of confidentiality in these matters, it is not requested who actually filed the complaint, only if Ms. Norton did.

The Respondent has asked this very question to the assigned Judicial Conduct Board attorney, in the fashion that was just proposed. It is understandable that said counsel believed that ethically she could not provide a yes or no answer.

In a serial complaint, complainant allegations are to be viewed with caution. Respondent must know the response to that inquiry as serial complaints are to be taken a different light than those that are not repetitive. This inquiry is exacerbated because of the potential that Ms. Norton reviewed and evaluated her own serial complaint.

Regarding the instant complaint that Ms. Norton filed, Respondent respectfully requests any information regarding Ms. Norton's involvement as the matter proceeded through the Judicial Conduct Board. Specifically, did Ms. Norton do any research, approve or initiate the use of resources, such as the use of an undercover investigator to visit the



restaurant and observe the Respondent's actions, or spend time researching the Respondent's internet presence, personal and professional? Was Ms. Norton involved in furthering this investigation even after said investigator solely provided extensive exculpatory evidence on the very issue that Ms. Norton alleged? Did Ms. Norton provide input to the Board in this matter, recommending the complaint move forward?

It is ironic that Ms. Norton has alleged the abuse of judicial office in promoting Respondent's wife's restaurant, when she seems to be the *only* one who has had a problem with it. No one else has filed a complaint on the matter. By releasing a statement to the press, Ms. Norton provided Shay's Steaks with worldwide press, radio, Internet, and television coverage. Ms. Norton did the very thing she allegedly sought to constrain, giving Shay's Steaks publicity and promotion due to the filing of this complaint.

It is also requested that *if* Ms. Norton has filed previous complaints against Respondent, has she previously filed a complaint against *any* other jurists in the Commonwealth?

Wherefore, Respondent respectfully requests that the pre-trial judge assigned to this matter review either in camera or provide to the Respondent the information sought in this addendum.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Scott DiClaudio', is written over a horizontal line.

The Honorable Scott DiClaudio

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